



AF/IDW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Satoshi Seo et al.
Serial No. : 10/623,609
Filed : July 22, 2003
Title : LUMINESCENT DEVICE

Art Unit : 1774
Examiner : Camie Thompson
Confirmation No.: 5062

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF MARCH 17, 2005

In reply to the Final Office Action of March 17, 2005, applicants submit the following remarks.

Claims 129-200 are pending in this application, and have been provisionally rejected for obviousness-type double patenting over claims 78-113 of co-pending Application No. 10/026,064 (the '064 application). Applicants request withdrawal of this provisional double patenting rejection because, absent the present rejection, the claims of the present application appear to be otherwise in condition for allowance.

By contrast, many of the claims of the '064 application, in addition to being provisionally rejected for obviousness-type double patenting over the claims of co-pending Application No. 10/060,427, are rejected as being anticipated or obvious over So, U.S. Patent No. 5,925,980, and Tamano, U.S. Patent No. 6,150,042.

Thus, since the claims of the '064 application are currently rejected, any risk of patents issuing with similar claims from the present application and the '064 application could be addressed by allowing the present application to issue and making the obviousness-type double patenting rejection in the '064 application. Applicants could then decide whether to file a terminal disclaimer or dispute the rejection in the '064 application once the claims of the '064 application are in their final form and are otherwise allowable.

Applicants submit that all claims are in condition for allowance.